IN THE HIGH COURT OF JUDICATURE AT PATNA
CR. REV. No.394 of 2007
MUBARAK KHAN
Versus
STATE OF BIHAR & ORS

For the Petitioner : Mr. Bipin Bihari Singh, Advocate
For the State : Mr. Gopesh Kumar, A.P.P.
For the Opposite Party No. 2 & 3 : Md. Shakeel Ahmad, Advocate

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4 04.09.2008 This application has been filed against the order dated 17th February, 2007 passed by Principal Judge, Family Court, Siwan in Misc. Case No.119 of 2003 whereby the petitioner has been directed to pay Rs. 300/- each to the opposite party no. 2 and 3.

Heard learned counsel for the petitioner as well as the opposite party no. 2.

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Opposite party No. 2 is legally wedded wife of the petitioner. The only submission of learned counsel for the petitioner is that the petitioner has no means to pay i.e. Rs. 600/- per month to the opposite parties. However from the perusal of the impugned order it is quite apparent that the petitioner is daily wage earner and earns Rs. 1500/- per month.

In the facts and circumstances of the case, I find no illegality or impropriety in the impugned order. The Court below has rightly awarded maintenance of Rs.300/- per

month, which requires no interference.

This application is accordingly dismissed.

Kundan **(Ghanshyam Prasad, J.)**

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